



County of San Diego

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RECEIVED
JUL 28 1999
SAN DIEGO
COUNTY GRAND JURY

May 28, 1999

The Honorable Wayne L. Peterson
Presiding Judge
San Diego Superior Court, Dept. 1
220 W. Broadway
San Diego, CA 92101

Dear Judge Peterson:

Attached, please find the Board of Supervisors response to the San Diego County Grand Jury 1998-1999 Interim Report: *Re-engineering the Civil Grand Jury*. I have also provided the minute order indicating how each Board member voted on this issue.

If you have any questions concerning this matter, please don't hesitate to contact me at 531-5250.

Best regards,

WALTER F. EKARD
Chief Administrative Officer
County of San Diego

WE/pf
Attachment

**RESPONSE TO THE 1998-99 GRAND JURY
- INTERIM REPORT -
RE-ENGINEERING THE CIVIL GRAND JURY**

RECOMMENDATION 99-23: That the County Chief Administrative Officer and the Budget Director immediately authorize the grand jury budgetary procedures as set down in the *Budget Process - Recommendations* section.

RESPONSE:

Agree. The Board of Supervisors endorses and commends the Grand Jury in its efforts to be fiscally responsible in the cost of their activities and in the future development of a reasonable and defensible budget. This is consistent with the County's effort to perform services better, cheaper and faster. Historically the Superior Court has assisted the Grand Jury with its operational/administrative activities and with the development of the annual budget. Despite the implementation of the Trial Court Funding Program and Court Consolidation in our County, the Grand Jury is still linked to the Superior Court. The Superior Court has acknowledged this link and has indicated their willingness to continue to provide administrative support to the Grand Jury. In addition, the Public Safety Group will ensure that the Grand Jury foreperson receives all of the information, instructions and training necessary to assist in the development of their budget.

The Grand Jury's budget is composed of two programs (low-orgs), Civil and Criminal. As part of the information and training to be provided to the Grand Jury in the development of the budget, the Public Safety Group with the assistance of the Superior Court will assist in the proper budgeting of these two programs. This will ensure that the Civil program portion of the budget is not distorted by the costs of the Criminal program's activities.

RECOMMENDATION 99-24: That the County Chief Administrative Officer and the Budget Director concur in the budgetary procedure indicated in item No. 1 in the *Press Coverage/Public Relations - Recommendations* Section

RESPONSE:

Agree in part. As the title of this report denotes, "Re-engineering the Civil Grand Jury" all viable options must be explored, to maximize the efficiency and effectiveness of communicating to the general public the information contained in each report. These include existing budgetary resources. In addition, the Board recommends that the Grand Jury invite representatives of the County's Department of Media and Public Relations to provide training session on how to work effectively with the media and to explore low costs alternatives for providing access to the general public. As stated in the previous response (99-23), the Public Safety Group will assist in the training and development of the Grand Jury's budget.

RECOMMENDATION 99-25: That the County Board of Supervisors endorse and encourage, by written affirmation, the media and public relations approaches established in items No.2 through No.9 in the *Press Coverage/Public Relations – Recommendations* section.

RESPONSE: Agree In Part. The Board of Supervisors commends the Grand Jury in its efforts to inform the public on suggested areas of improvement in governmental organizations. The Board supports all actions included in No.2 through No. 9 in the *Press Coverage/Public Relations Recommendations* section except for No. 6 (*Send copies of all reports to community area councils, service organizations, special interest groups and special incorporated organizations*). This recommendation is inconsistent with the County's continuing efforts to disseminate information more effectively and at less cost via County libraries and other public facilities, the County's website, e-mail and other low cost means. To assist the Grand Jury in its efforts to acquire greater visibility with the media and the public, the County's Department of Media and Public Relations is available to offer media relations training for past and current members of the Grand Jury. A training session could be designed specifically for grand jury members that would give participants the resources needed to prepare effective news releases and other public relations activities. By utilizing this approach, Grand Jury members would have the ability to communicate the organization's messages more effectively, while at the same time minimizing additional costs to the taxpayers and maintaining the independence of the Grand Jury.

RECOMMENDATION 99-26: That the County Board of Supervisors endorse and encourage, by written affirmation, the public awareness activities detailed in items No.1 through No.4 in the *Public Awareness of Grand Jury Activity – Recommendations* section.

RESPONSE: Agree. The Board of Supervisors commends the Grand Jury in its efforts to advance the public interest in and awareness of the County Grand Jury, its history, sphere of authority, composition, general activity and how it benefits county taxpayers. The Board of Supervisors endorses and encourages the Grand Jury to implement the public awareness activities detailed in items No.1 through No. 4 in the *Public Awareness of Grand Jury Activity – Recommendations* section as submitted.

RECOMMENDATION 99-27: That the County Chief Administrative Officer and the Budget Director concur in the budgetary procedure indicated in item No. 5 in the *Public Awareness of Grand Jury Activity – Recommendations* section.

RESPONSE:

Agree in part – please see response to Recommendation 99-23. Item No. 5 states "include estimated funds required for the above activities in the grand jury's annual budget." As part of the assistance to be provided by the Public Safety Group, the budget will be reviewed to accurately allocate the existing resources in the Civil and Criminal programs. In addition, the Public Safety Group will review any requests for this activity in the development of the annual budget.

RECOMMENDATION 99-28: That the Board of Supervisors authorize the implementation of all recommendations regarding Grand Jury training, as detailed in the *Training Schedule – Recommendations* section.

Handwritten note:
Hd
VERY
GOOD

RESPONSE:

Agree. The Board of Supervisors commends the Grand Jury for its objective to develop a comprehensive training program that will better prepare jurors for the tasks they are required to perform. The Board of Supervisors, with concurrence from the Presiding Judge of the Superior Court, authorizes the implementation of all recommendations regarding Grand Jury training. Item "c" of this portion of the report recommends that the "time spent in training will be compensated at the same rate as regular grand jury duty." The costs for the two weeks of training, to become familiar with the proceedings of their assignment, will be mitigated by what they estimate to be a "loss of at least two months of productive time." Therefore, the per-diem compensation will be absorbed with existing resources.

RECOMMENDATION 99-29: That the County Board of Supervisors pass an ordinance putting in effect the grand jury per diem increase as stipulated in the *Compensation (fees) - Recommendation* section.

RESPONSE:

Disagree. This recommendation requests that the Board of Supervisors adopt an ordinance as early as possible to increase the per diem rate from \$25 to \$75. The estimated fiscal impact of this recommendation is \$233,000.

The report indicates that the current per-diem is "below the minimum wage" and that a higher per-diem "might well change the composition of future grand juries to be more reflective of the community at large." The per-diem is meant for daily expenses of providing service as grand juror and not as a wage or a means of remuneration. Serving on the grand jury is a privilege, it is voluntary and part of the civic responsibility of being a citizen of this community.

Penal Code § 890 provides the minimum for per-diem and mileage (\$10 and .15¢ per mile - one way). Our County provides a \$25 per-diem, .32¢ per mile reimbursement and a parking space at the Hall of Justice. The Public Safety Group surveyed three other counties in the State - Los Angeles, Santa Clara and Orange. It was learned that these counties provide \$25, \$20 and \$25 per-diem with a mileage reimbursement of .275¢, .31¢ and .39¢, respectively and parking at no cost. Although, it is acknowledged that the Grand Jury per-diem has not been increased since 1974, a 300% increase does not appear to be warranted.

RECOMMENDATION 99-30: That the Board of Supervisors endorse and encourage the public awareness activities detailed in items No. 1 through 4 in the *Public Awareness of Grand Jury Activity - Recommendations* section.

RESPONSE:

As stated in recommendation 99-26, the Board of Supervisors commends the Grand Jury in its efforts to advance the public interest in and awareness of the County Grand Jury, its history, sphere of authority, composition, general activity and how it benefits county taxpayers. The Board of Supervisors endorses and encourages the Grand Jury to implement the public awareness activities detailed in items No.1 through No. 4 in the *Public Awareness of Grand Jury Activity - Recommendations* section as submitted.

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, MAY 18, 1999**

MINUTE ORDER NO. 8

**SUBJECT: GRAND JURY 1998-99 -- INTERIM REPORT -- RE-ENGINEERING
THE CIVIL GRAND JURY
(Supv. Dist: All)**

OVERVIEW:

On April 13, 1999 (31), the Board received the Grand Jury Interim Report entitled Reengineering the Civil Grand Jury. The Board directed the Chief Administrative Officer to draft a response for the Board's consideration no later than May 19, 1999.

FISCAL IMPACT:

There is no fiscal impact with this action.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Authorize the Chief Administrative Officer to transmit the attached response to the Grand Jury via the Superior Court Presiding Judge.

ACTION:

Supervisor Roberts registering a NO vote on Recommendation 99-29, ON MOTION of Supervisor Horn, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

State of California)
County of San Diego)^{ss}

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By Adair Gomez
ADAIR GOMEZ, Deputy

